DT03 Re-CEPTO [16 FEB 2005] *PCT*

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Maria L. Garcia, et al.

Serial No. 10/511,731

Filed: June 13, 2003

For: NOVEL MAXI-K CHANNEL BLOCKERS, METHODS OF  
USE AND PROCESS FOR MAKING THE SAME

Art Unit: \_\_\_\_\_

Examiner: \_\_\_\_\_

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450**INFORMATION DISCLOSURE STATEMENT  
UNDER 37 CFR 1.97**

Sir:

1. In compliance with 37 C.F.R. 1.97, submitted on the attached form herewith is a list of patents, publications or other information which are requested to be made of record in this application. This Information Disclosure Statement is not an admission that any patent, publication or other information referred to herein is "prior art" for this invention. In accordance with 37 C.F.R. 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. 1.56(b).
2. In accordance with 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.
3. Applicants respectfully request that the Examiner initial the attached form after reviewing the pertinence of each reference.
4. Pursuant to 37 C.F.R. 1.98 (a)(2)(ii), copies of each cited U.S. patent and each U.S. patent application publication are not enclosed herewith.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date appearing below.

MERCK &amp; CO., INC.

By Christine Dora Date 2/14/05

# INFORMATION DISCLOSURE STATEMENT

5. Pursuant to 37 C.F.R. 1.98(d), copies of references listed on the attached form that were submitted to or cited by the Office in a related application upon which the instant application relies for an earlier filing date under 35 U.S.C. 120 are not enclosed. Related application(s) in which references were submitted to or cited by the Office are as follows:

RELATED APPLICATION		
U. S. SERIAL NUMBER	FILING DATE	MERCK CASE

If this is inconvenient, additional copies will be submitted upon request.

6. In accordance with 37 C.F.R. 1.97, (check one)

- ☐ the attached information is filed within three months of the filing date of the captioned case.
- ☒ the attached information is filed more than three months after the filing date but prior to the mailing of a first Office Action on the merits.
- ☐ the attached information is being filed more than three months after the filing date and after the mailing of a first Office Action on the merits, but before the mailing date of a Final Action or Notice of Allowance. The enclosed authorization is therefore given to charge Deposit Account No. 13-2755 for the fee required under 37 C.F.R. 1.17(p).
- ☐ the undersigned certifies that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement.
- ☐ the undersigned certifies that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated under 37 C.F.R. 1.56(c) more than three months prior to the filing of this Statement.

Respectfully submitted,

By: Sylvia A. Ayler

Attorney For Applicant(s)

Reg. No. 36,436

MERCK & CO., INC.

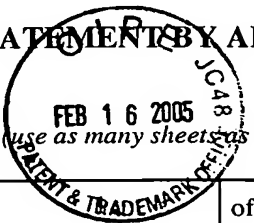
Patent Dept., RY60-30

P.O. Box 2000

Rahway, N.J. 07065-0907

(732)594-4909

Date: 2/14/2005

Substitute for form 1449A/PTO <b>INFORMATION DISCLOSURE          STATEMENT BY APPLICANT</b> <div style="text-align: center;">  </div>		COMPLETE IF KNOWN	
		Application Number	10/511, [redacted]
		Filing Date	June 13, 2003
		First Named Inventor	Maria L. Garcia
		Group Art Unit	To be assigned
		Examiner Name	To be assigned
Sheet		Attorney Docket Number	21092YP
	of 2		

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Number	Kind Code (if known)		
	A	4,386,098		Woltersdorf, Jr.	05/31/1983
	B	4,416,890		Woltersdorf, Jr.	11/22/1983
	C	4,426,388		Woltersdorf, Jr.	01/17/1984
	D	4,668,697		Shepard, et al.	05/26/1987
	E	4,863,922		Baldwin, et al.	09/05/1989
	F	4,797,413		Baldwin, et al.	01/10/1989
	G	5,378,703		Dean, et al.	01/03/1995
	H	5,240,923		Dean, et al.	08/31/1993
	I	5,153,192		Dean, et al.	10/06/1992
	J	4,883,819		Bito, et al.	11/28/1989
	K	4,824,857		Goh, et al.	04/25/1989
	L	5,001,153		Ueno, et al.	03/19/1991
	M	4,599,353		Bito, et al.	07/08/1986
	N	5,573,758		Adorante, et al.	11/12/1996
	O	5,925,342		Adorante, et al.	07/20/1999

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Office	Number	Kind Code (if known)		
	A	PCT	WO 89/10757		Leo Pharmaceutical Products Ltd.	11/16/1989
	B	PCT	WO 94/28900		Vide Pharmaceuticals	12/22/1994
	C	PCT	WO 96/33719		Allergan	10/31/1996

Examiner Signature	Date Considered	
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**FEB 16 2005**

**COMPLETE IF KNOWN**

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**A**

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